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Supplier Notification Requirements: Under Section 313 of the Emergency Planning and Community Right-to-Know Act

ICF Technology, Inc., Fairfax, VA

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Title III (also known as the Emergency Planning and Community Right-to-Know ACt) requires, under section 313, that certain manufacturers report annual releases to the environment of listed toxic chemicals and chemical categories. Because these manufacturers must know the toxic chemical composition of the products they use to be able to calculate releases accurately, EPA requries some suppliers of mixtures or trade name products containing one or more of the listed section 313 chemicals to notify their customers.

The purpose of this pamphlet is to explain which suppliers must notify their customers, who must be notified, what form the notice must take, and when it must be sent.

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Office of Pesticides
and Toxic Substances

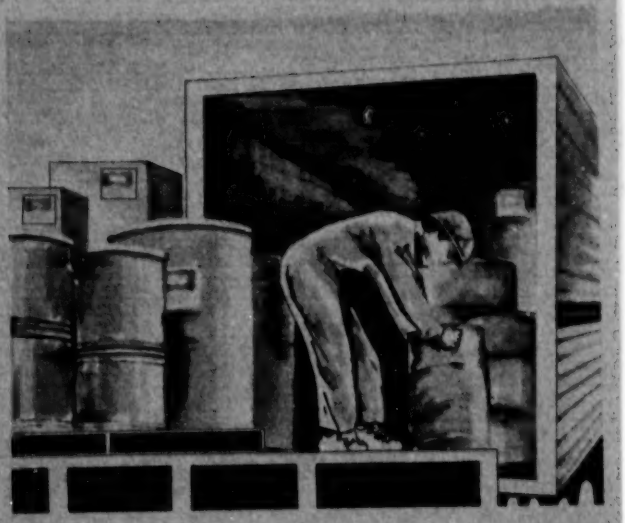
EPA 560/4-89-003

EPA

Supplier Notification Requirements

Under Section 313 of the Emergency Planning and Community Right-to-Know Act

Requirements Effective
January 1, 1989



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INTRODUCTION

When Congress passed the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA), it created a number of new reporting requirements for companies that handle toxic chemicals and products containing toxic chemicals. If you supply or distribute such chemicals or products containing them, you may have to meet these requirements.

Section 313 and EPCRA requires that certain manufacturers report annual releases to the environment of listed toxic chemicals and chemical categories. Because these manufacturers must know the toxic chemical composition of the products they use to be able to calculate releases accurately, EPA requires some suppliers of mixtures or trade name products containing one or more of the listed section 313 chemicals to notify their customers.

The purpose of this pamphlet is to explain which suppliers must notify their customers, who must be notified, what form the notice must take, and when it must be sent.

WHO MUST SUPPLY NOTIFICATION

You are covered by the Title III supplier notification requirements if you own or operate a facility or establishment which meets all of the following criteria:

(1) Your facility is in Standard Industrial Classification (SIC) codes 20–39* (see attached list); and

(2) You manufacture, import, or process a listed chemical; and

(3) You sell or distribute a mixture or trade name product containing the toxic chemical to either:

- A facility that must report under section 313; or
- A firm that then sells the same mixture or trade name product to a firm in SIC codes 20–39.

Note that you may be covered by the supplier notification rules even if you are not covered by the section 313 release reporting requirements. For example, even if you have less than 10 full-time employees or do not manufacture or process any of the chemicals in sufficient quantities to trigger the release reporting requirements, you are still required to notify certain customers.

** If your company distributes chemical products but does not fall into the covered SIC codes, you should be alert to the supplier notification that may accompany MSDSs of the products you distribute. You should pass such notices to your industrial customers unchanged.*

WHO MUST BE NOTIFIED

For each mixture or trade name product that contains a listed chemical, you will have to notify each customer in SIC codes 20–39 or distributors who in turn sell that product to firms in SIC codes 20–39.

An example would be if you sold a lacquer containing toluene to distributors, who then sell the product to other manufacturers. The distributors are not in SIC codes 20–39. Because they sold the product to companies in SIC codes 20–39, however, you still must notify them and they are expected to pass the notice along to their customers. You should assume that the chain of distribution includes facilities in SIC codes 20–39 unless you know otherwise. (The notification is limited to SIC 20–39 facilities and their suppliers because only facilities in those SIC codes are required to report releases under section 313.)

WHAT INFORMATION THE NOTIFICATION MUST CONTAIN

The notification must include the following information:

(1) A statement that the mixture or trade name product contains a toxic chemical or chemicals subject to the reporting requirements of section 313 of EPCRA and of 40 CFR 372;

(2) The name of each toxic chemical and the associated Chemical Abstracts Service (CAS) registry number of each chemical if applicable. (Chemical categories do not have CAS numbers, since the categories can represent several individual chemicals.)

(3) The percentage by weight of each toxic chemical in the mixture or trade name product (e.g., 25 percent by weight).

If you are concerned about divulging trade secret information on chemical identity or percentage composition, you may be able to protect this information. Consult the section in this pamphlet on trade secrets.

HOW THE NOTIFICATION MUST BE MADE

The required notification must be in writing. The notice may, for example, be in the form of a letter to your customer, in product labeling, or included in product literature distributed to customers. If you are required to prepare and distribute a Material Safety Data Sheet (MSDS) for the mixture under the Occupational Safety and Health Act (OSHA) Hazard Communication Standard, your section 313 notification must be attached to or made part of the MSDS. Your notification must be attached to an MSDS, or the MSDS may be modified to include the required information. (A sample letter and recommended text for inclusion in an MSDS appear at the end of this pamphlet.)

You must make it clear to your customers that any copies or redistribution of the MSDS must include the section 313 notice. In other words, your customers should understand their requirement to include the 313 notification if they give your MSDS to their customers.

WHEN NOTIFICATION MUST BE PROVIDED

In general, you must notify each customer receiving a mixture or trade name product containing a listed chemical with the first shipment of each calendar year beginning January 1, 1989. You may send the notice with subsequent shipments as well, but you are required to send it with the first shipment each year.

If EPA adds chemicals to the section 313 list and your products contain the newly listed chemicals, you must notify your customers with the first shipment of the year following EPA's final decision to add the chemical to the list. For example, if EPA adds chemical ABC to the list in September 1989, you would be required to supply notification on chemical ABC beginning with the first shipment in 1990.

There are two exceptions to this rule. For mixtures or trade name products for which you have previously provided notification, you must send a new or revised notice if you:

(1) Change a mixture or trade name product by adding, removing, or changing the percentage by weight of a listed toxic chemical. Notification must accompany the first shipment of the changed product.

(2) Discover that your previous notification did not properly identify the toxic chemicals in the mixture or correctly indicate the percentage by weight. In that case, you must:

- Supply a new or revised notification within 30 days of the discovery; and
- Identify in the notification the prior shipments of the mixture or product to which the new notification applies; and

- Indicate how many shipments were affected during the calendar year (e.g., if the notification is made in August 1989, you must indicate how many shipments were affected during the period January 1 - August).

WHEN NOTIFICATIONS ARE NOT REQUIRED

You are not required to make a "negative declaration." That is, you are not required to indicate that a product contains no section 313 chemicals.

If your mixture or trade name product contains one of the listed chemicals,you are not required to notify your customers if:

(1) Your mixture or trade name product contains the toxic chemical in percentages by weight of less than the following levels (These are known as **de minimis** levels):

- 0.1 percent of the chemical present in the mixture, if the chemical is defined as an "OSHA carcinogen";
- 1 percent for other listed toxic chemicals.

Attached is a list of chemicals and chemical categories covered by section 313 that identifies the de minimis levels for each.

(2) Your mixture or a trade name product is one of the following:

- An article that does not release a covered toxic chemical to the environment under normal conditions of processing or use.
- Foods, drugs, cosmetics, pesticides, alcoholic beverages, tobacco, or tobacco products packaged for distribution to the general public.
- Any consumer product, as the term is defined in the Consumer Product Safety Act, packaged for distribution to the general public. For example, if you mix or package one gallon cans of paint designed for use by the general public, you would not have to supply notification.

Examples

A mixture or trade name product that you sell for industrial use contains 0.5 percent by weight of 2 ethoxy ethanol. No notification is required because your product contains less than one percent by weight of this toxic chemical. If the same mixture contains 0.5 percent vinyl chloride, however, you must notify your customers because vinyl chloride is considered to be a carcinogen under OSHA.

A battery that you manufacture contains sulfuric acid, a listed toxic chemical. The battery is an article. During normal use of the battery, a release of the toxic chemical(sulfuric acid) is not expected. Therefore, as a battery manufacturer and supplier, you would not be expected to send a supplier notification under section 313 to purchasers of the battery.

TRADE SECRETS

In certain cases, chemical suppliers may consider the chemical name or the specific percentage by weight of a section 313 chemical in a mixture or trade name product to be a trade secret. In these cases you may do the following:

(1) If you consider the specific identity of a toxic chemical to be a trade secret, the notice to your customer(s) must contain a generic chemical name that is descriptive of the structure of that toxic chemical. For example, decabromodiphenyl oxide could be described as a halogenated aromatic.

(2) If you consider the specific percentage by weight composition of a toxic chemical in the mixture or trade name product to be a trade secret, your notice to customers must contain a statement that the chemical is present at a concentration that does not exceed a specified upper bound. For example, if a mixture contains 12 percent toluene and you consider the percentage a trade secret, the notification may state that the mixture contains toluene at no more than 15 percent concentration. The upper bound value chosen must be no larger than necessary to adequately protect the trade secret.

You should be aware that if you claim certain information to be trade secret, you must have documentation in your files that provides the basis for that claim.

RECORDKEEPING REQUIREMENTS

You are required to keep records for three years of the following:

(1) Notifications sent to customers;

(2) Explanations of why a notification was considered necessary and all supporting materials used to develop the notice;

(3) Explanations of why a specific chemical identity is considered a trade secret and the appropriateness of the generic chemical name provided in the notification; and

(4) Explanations of why a specific concentration is considered a trade secret and the basis for the upper bound concentration limit.

This information must be readily available for inspection by EPA.

FOR MORE INFORMATION

For a complete text of these regulations, see:	Title 40 of the Code of Federal Regulations (CFR) Part 372; 53 Federal Register 4500 (February 16, 1988) Toxic Chemical Release Reporting; Community Right-To-Know
Emergency Planning and Community Right-To-Know Information Hotline, 8:30 - 7:30, Eastern Standard Time	800-535-0202 or 202-479-2449 (in Washington, DC and Alaska)
Small Business Ombudsman	800-368-5888 or 703-557-1938 (in Washington, DC and Virginia)

5

ALPHABETICAL LIST OF SECTION 313 CHEMICALS

CAS Number	Chemical Name	De Minimis Concentration*
75-07-0	Acetaldehyde	0.1
60-35-5	Acetamide	0.1
67-64-1	Acetone	1.0
75-05-8	Acetonitrile	1.0
53-96-3	2-Acetylaminofluorene	0.1
107-02-8	Acrolein	1.0
79-06-1	Acrylamide	0.1
79-10-7	Acrylic acid	1.0
107-13-1	Acrylonitrile	0.1
309-00-2	Aldrin [1,4:5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a hexahydro-(1.alpha.,4.alpha.,4a.beta., 5.alpha.,8.alpha.,8a.beta.)]	1.0
107-05-1	Allyl chloride	1.0
7429-90-5	Aluminum (fume or dust)	1.0
1344-28-1	Aluminum oxide	1.0
117-79-3	2-Aminoanthraquinone	0.1
60-09-3	4-Aminoazobenzene	0.1
92-67-1	4-Aminobiphenyl	0.1
82-28-0	1-Amino-2-methylanthraquinone	0.1
7664-41-7	Ammonia	1.0
6484-52-2	Ammonium nitrate (solution	1.0
7783-20-2	Ammonium sulfate (solution)	1.0
62-53-3	Aniline	1.0
90-04-0	o-Anisidine	0.1
104-94-9	p-Anisidine	1.0
134-29-2	o-Anisidine hydrochloride	0.1
120-12-7	Anthracene	1.0
7440-36-0	Antimony	1.0
7440-38-2	Arsenic	0.1
1332-21-4	Asbestos (friable)	0.1
7440-39-3	Barium	1.0
98-87-3	Benzal chloride	1.0
55-21-0	Benzamide	1.0
71-43-2	Benzene	0.1
92-87-5	Benzidine	0.1
98-07-7	Benzoic trichloride (Benzotrichloride)	0.1

*See page 5 for an explanation of how concentration affects notification requirements.

ALPHABETICAL LIST OF SECTION 313 CHEMICALS
(continued)

CAS Number	Chemical Name	De Minimis Concentration
98-88-4	Benzoyl chloride	1.0
94-36-0	Benzoyl peroxide	1.0
100-44-7	Benzyl chloride	1.0
7440-41-7	Beryllium	0.1
92-52-4	Biphenyl	1.0
111-44-4	Bis(2-chloroethyl) ether	1.0
542-88-1	Bis(chloromethyl) ether	0.1
108-60-1	Bis(2-chloro-1-methylethyl) ether	1.0
103-23-1	Bis(2-ethylhexyl) adipate	1.0
75-25-2	Bromoform (Tribromomethane)	1.0
74-83-9	Bromomethane (Methyl bromide)	1.0
106-99-0	1,3-Butadiene	0.1
141-32-2	Butyl acrylate	1.0
71-36-3	n-Butyl alcohol	1.0
78-92-2	sec-Butyl alcohol	1.0
75-65-0	tert-Butyl alcohol	1.0
85-68-7	Butyl benzyl phthalate	1.0
106-88-7	1,2-Butylene oxide	1.0
123-72-8	Butyraldehyde	1.0
4680-78-8	C.I. Acid Green 3	1.0
569-64-2	C.I. Basic Green 4	1.0
989-38-8	C.I. Basic Red 1	0.1
1937-37-7	C.I. Direct Black 38	0.1
2602-46-2	C.I. Direct Blue 6	0.1
16071-86-6	C.I. Direct Brown 95	0.1
2832-40-8	C.I. Disperse Yellow 3	1.0
3761-53-3	C.I. Food Red 5	0.1
81-88-9	C.I. Food Red 15	0.1
3118-97-6	C.I. Solvent Orange 7	1.0
97-56-3	C.I. Solvent Yellow 3	0.1
842-07-9	C.I. Solvent Yellow 14	0.1
492-80-8	C.I. Solvent Yellow 34 (Auramine)	0.1
128-66-5	C.I. Vat Yellow 4	1.0
7440-43-9	Cadmium	0.1
156-62-7	Calcium cyanamide	1.0

ALPHABETICAL LIST OF SECTION 313 CHEMICALS (continued)

CAS Number	Chemical Name	De Minimis Concentration
133-06-2	Captan [1H-Isoindole-1,3(2H)-dione, 3a,4,7,7a-tetrahydro-2-[(trichloromethyl)thio]-]	1.0
63-25-2	Carbaryl [1-Naphthalenol, methylcarbamate]	1.0
75-15-0	Carbon disulfide	1.0
56-23-5	Carbon tetrachloride	0.1
463-58-1	Carbonyl sulfide	1.0
120-80-9	Catechol	1.0
133-90-4	Chloramben [Benzoic acid, 3-amino-2,5-dichloro-]	1.0
57-74-9	Chlordane [4,7-Methanoindan, 1,2,4,5,6,7,8,8- octachloro-2,3,3a,4,7,7a-hexahydro-]	1.0
7782-50-5	Chlorine	1.0
10049-04-4	Chlorine dioxide	1.0
79-11-8	Chloroacetic acid	1.0
532-27-4	2-Chloroacetophenone	1.0
108-90-7	Chlorobenzene	1.0
510-15-6	Chlorobenzilate [Benzeneacetic acid, 4-chloro-.alpha.-(4- chlorophenyl)-.alpha, -hydroxy, - ethyl ester]	1.0
75-00-3	Chloroethane (Ethyl chloride)	1.0
67-66-3	Chloroform	0.1
74-87-3	Chloromethane (Methyl chloride)	1.0
107-30-2	Chloromethyl methyl ether	0.1
126-99-8	Chloroprene	1.0
1897-45-6	Chlorothalonil [1,3- Benzenedicarbonitrile, 2,4,5,6-tetrachloro-]	1.0
7440-47-3	Chromium	0.1
7440-48-4	Cobalt	1.0
7440-50-8	Copper	1.0
120-71-8	p-Cresidine	0.1
1319-77-3	Cresol (mixed isomers)	1.0
108-39-4	m-Cresol	1.0
95-48-7	o-Cresol	1.0
106-44-5	p-Cresol	1.0

ALPHABETICAL LIST OF SECTION 313 CHEMICALS
(continued)

CAS Number	Chemical Name	De Minimis Concentration
98-82-8	Cumene	1.0
80-15-9	Cumene hydroperoxide	1.0
135-20-6	Cupferron [Benzeneamine, N-hydroxy-N-nitroso, ammonium salt]	0.1
110-82-7	Cyclohexane	1.0
94-75-7	2,4-D [Acetic acid, (2,4-dichloro-phenoxy)-]	1.0
1163-19-5	Decabromodiphenyl oxide	1.0
2303-16-4	Diallate [Carbamothioic acid,bis (1-methylethyl)-, S-(2,3-dichloro-2-propenyl) ester]	1.0
615-05-4	2,4-Diaminoanisole	0.1
39156-41-7	2,4-Diaminoanisole sulfate	0.1
101-80-4	4,4'-Diaminodiphenyl ether	0.1
25376-45-8	Diaminotoluene (mixed isomers)	0.1
95-80-7	2,4-Diaminotoluene	0.1
334-88-3	Diazomethane	1.0
132-64-9	Dibenzofuran	1.0
96-12-8	1,2-Dibromo-3-chloropropane (DBCP)	0.1
106-93-4	1,2-Dibromoethane (Ethylene dibromide)	0.1
84-74-2	Dibutyl phthalate	1.0
25321-22-6	Dichlorobenzene (mixed isomers)	0.1
95-50-1	1,2-Dichlorobenzene	1.0
541-73-1	1,3-Dichlorobenzene	1.0
106-46-7	1,4-Dichlorobenzene	0.1
91-94-1	3,3'-Dichlorobenzidine	0.1
75-27-4	Dichlorobromomethane	1.0
107-06-2	1,2-Dichloroethane (Ethylene dichloride)	0.1
540-59-0	1,2-Dichloroethylene	1.0
75-09-2	Dichloromethane (Methylene chloride)	0.1
120-83-2	2,4-Dichlorophenol	1.0
78-87-5	1,2-Dichloropropane	1.0
542-75-6	1,3-Dichloropropylene	0.1
62-73-7	Dichlorvos [Phosphoric acid, 2 dichloroethenyl dimethyl ester]	1.0

ALPHABETICAL LIST OF SECTION 313 CHEMICALS

(continued)

CAS Number	Chemical Name	De Minimis Concentration
115-32-2	Dicofol [Benzenemethanol, 4-chloro- .alpha.- 4-chlorophenyl)- .alpha.- (trichloromethyl)-]	1.0
1464-53-5	Diepoxybutane	0.1
111-42-2	Diethanolamine	1.0
117-81-7	Di-(2-ethylhexyl) phthalate (DEHP)	0.1
84-66-2	Diethyl phthalate	1.0
64-67-5	Diethyl sulfate	0.1
119-90-4	3,3'-Dimethoxybenzidine	0.1
60-11-7	4-Dimethylaminoazobenzene	0.1
119-93-7	3,3'-Dimethylbenzidine (o-Tolidine)	0.1
79-44-7	Dimethylcarbamyl chloride	0.1
57-14-7	1,1-Dimethyl hydrazine	0.1
105-67-9	2,4-Dimethylphenol	1.0
131-11-3	Dimethyl phthalate	1.0
77-78-1	Dimethyl sulfate	0.1
534-52-1	4,6-Dinitro-o-cresol	1.0
51-28-5	2,4-Dinitrophenol	1.0
121-14-2	2,4-Dinitrotoluene	1.0
606-20-2	2,6-Dinitrotoluene	1.0
117-84-0	n-Dioctyl phthalate	1.0
123-91-1	1,4-Dioxane	0.1
122-66-7	1,2-Diphenylhydrazine (Hydrazobenzene)	0.1
106-89-8	Epichlorohydrin	0.1
110-80-5	2-Ethoxyethanol	1.0
140-88-5	Ethyl acrylate	0.1
100-41-4	Ethylbenzene	1.0
541-41-3	Ethyl chloroformate	1.0
74-85-1	Ethylene	1.0
107-21-1	Ethylene glycol	1.0
151-56-4	Ethyleneimine (Aziridine)	0.1
75-21-8	Ethylene oxide	0.1
96-45-7	Ethylene thiourea	0.1

ALPHABETICAL LIST OF SECTION 313 CHEMICALS
(continued)

CAS Number	Chemical Name	De Minimis Concentration
2164-17-2	Fluometuron [Urea, N,N-dimethyl-N'-[3-(trifluoromethyl)phenyl]-]	1.0
50-00-0	Formaldehyde	0.1
76-13-1	Freon 113 [Ethane, 1,1,2-trichloro-1,2,2-trifluoro-]	1.0
76-44-8	Heptachlor [1,4,5,6,7,8,8-Heptachloro-3a,4,7,7a-tetrahydro-4,7-methano-1H-indene]	1.0
118-74-1	Hexachlorobenzene	0.1
87-68-3	Hexachloro-1,3-butadiene	1.0
77-47-4	Hexachlorocyclopentadiene	1.0
67-72-1	Hexachloroethane	1.0
1335-87-1	Hexachloronaphthalene	1.0
680-31-9	Hexamethylphosphoramide	0.1
302-01-2	Hydrazine	0.1
10034-93-2	Hydrazine sulfate	0.1
7647-01-0	Hydrochloric acid	1.0
74-90-8	Hydrogen cyanide	1.0
7664-39-3	Hydrogen fluoride	1.0
123-31-9	Hydroquinone	1.0
78-84-2	Isobutyraldehyde	1.0
67-63-0	Isopropyl alcohol (manufacturing-strong acid process, no supplier notification)‡	0.1
80-05-7	4,4'-Isopropylidenediphenol	1.0
7439-92-1	Lead	0.1
58-89-9	Lindane [Cyclohexane, 1,2,3,4,5,6-hexachloro-,(1.alpha.,2.alpha.,3.beta.,4.alpha.,5.alpha.,6.beta.)-]	0.1
108-31-6	Maleic anhydride	1.0
12427-38-2	Maneb [Carbamodithioic acid, 1,2-ethanediylbis-, manganese complex]	1.0
7439-96-5	Manganese	1.0
7439-97-6	Mercury	1.0
67-56-1	Methanol	1.0

8

ALPHABETICAL LIST OF SECTION 313 CHEMICALS

(continued)

CAS Number	Chemical Name	De Minimis Concentration
72-43-5	Methoxychlor [Benzene, 1,1'-(2,2,2-trichloroethylidene)bis [4-methoxy-]	1.0
109-86-4	2-Methoxyethanol	1.0
96-33-3	Methyl acrylate	1.0
1634-04-4	Methyl tert-butyl ether	1.0
101-14-4	4,4'-Methylenebis(2-chloro aniline) (MBOCA)	0.1
101-61-1	4,4'-Methylenebis (N,N-dimethyl) benzenamine	0.1
101-68-8	Methylenebis(phenylisocyanate) (MBI)	1.0
74-95-3	Methylene bromide	1.0
101-77-9	4,4'-Methylenedianiline	0.1
78-93-3	Methyl ethyl ketone	1.0
60-34-4	Methyl hydrazine	1.0
74-88-4	Methyl iodide	0.1
108-10-1	Methyl isobutyl ketone	1.0
624-83-9	Methyl isocyanate	1.0
80-62-6	Methyl methacrylate	1.0
90-94-8	Michler's ketone	0.1
1313-27-5	Molybdenum trioxide	1.0
505-60-2	Mustard gas [Ethane, 1,1' -tahiobis [2-chloro-]	0.1
91-20-3	Naphthalene	1.0
134-32-7	alpha-Naphthylamine	0.1
91-59-8	beta-Naphthylamine	0.1
7440-02-0	Nickel	0.1
7697-37-2	Nitric acid	1.0
139-13-9	Nitrilotriacetic acid	0.1
99-59-2	5-Nitro-o-anisidine	0.1
98-95-3	Nitrobenzene	1.0
92-93-3	4-Nitrobiphenyl	0.1
1836-75-5	Nitrofen [Benzene, 2,4-dichloro- 1-(4-nitrophenoxy)-]	0.1
51-75-2	Nitrogen mustard [2-Chloro-N-(2-chloroethyl) -N- methylethanamine]	0.1

ALPHABETICAL LIST OF SECTION 313 CHEMICALS
(continued)

CAS Number	Chemical Name	De Minimis Concentration
55-63-0	Nitroglycerin	1.0
88-75-5	2-Nitrophenol	1.0
100-02-7	4-Nitrophenol	1.0
79-46-9	2-Nitropropane	0.1
156-10-5	p-Nitrosodiphenylamine	0.1
121-69-7	N,N-Dimethylaniline	1.0
924-16-3	N-Nitrosodi-n-butylamine	0.1
55-18-5	N-Nitrosodiethylamine	0.1
62-75-9	N-Nitrosodimethylamine	0.1
86-30-6	N-Nitrosodiphenylamine	1.0
621-64-7	N-Nitrosodi-n-propylamine	0.1
4549-40-0	N-Nitrosomethylvinylamine	0.1
59-89-2	N-Nitrosomorpholine	0.1
759-73-9	N-Nitroso-N-ethylurea	0.1
684-93-5	N-Nitroso-N-methylurea	0.1
16543-55-8	N-Nitrosonornicotine	0.1
100-75-4	N-Nitrosopiperidine	0.1
2234-13-1	Octachloronaphthalene	1.0
20816-12-0	Osmium tetroxide	1.0
56-38-2	Parathion [Phosphorothioic acid, 0, 0-diethyl-0-(4-nitrophenyl) ester]	1.0
87-86-5	Pentachlorophenol (PCP)	1.0
79-21-0	Peracetic acid	1.0
108-95-2	Phenol	1.0
106-50-3	p-Phenylenediamine	1.0
90-43-7	2-Phenylphenol	1.0
75-44-5	Phosgene	1.0
7664-38-2	Phosphoric acid	1.0
7723-14-0	Phosphorus (yellow or white)	1.0
85-44-9	Phthalic anhydride	1.0
88-89-1	Picric acid	1.0
1336-36-3	Polychlorinated biphenyls (PCBs)	0.1
1120-71-4	Propane sultone	0.1
57-57-8	beta-Propiolactone	0.1
123-38-6	Propionaldehyde	1.0
114-26-1	Propoxur [Phenol, 2-(1-methylethoxy)-, methylcarbamate]	1.0

ALPHABETICAL LIST OF SECTION 313 CHEMICALS

(continued)

CAS Number	Chemical Name	De Minimis Concentration
115-07-1	Propylene (Propene)	1.0
75-55-8	Propyleneimine	0.1
75-56-9	Propylene oxide	0.1
110-86-1	Pyridine	1.0
91-22-5	Quinoline	1.0
106-51-4	Quinone	1.0
82-68-8	Quintozene [Pentachloronitrobenzene]	1.0
81-07-2	Saccharin (manufacturing, no supplier notification) [1,2- Benzisothiazol -3(2H)-one,1,1-dioxide]‡	0.1
94-59-7	Safrole	0.1
7782-49-2	Selenium	1.0
7440-22-4	Silver	1.0
1310-73-2	Sodium hydroxide (solution)	1.0
7757-82-6	Sodium sulfate (solution)	1.0
100-42-5	Styrene	0.1
96-09-3	Styrene oxide	0.1
7664-93-9	Sulfuric acid	1.0
100-21-0	Terephthalic acid	1.0
79-34-5	1,1,2,2-Tetrachloroethane	0.1
127-18-4	Tetrachloroethylene (Perchloroethylene)	0.1
961-11-5	Tetrachlorvinphos [Phosphoric acid, 2-chloro-1- (2,3,5-trichlorophenyl) ethenyl dimethyl ester]	1.0
7440-28-0	Thallium	1.0
62-55-5	Thioacetamide	0.1
139-65-1	4,4'-Thiodianiline	0.1
62-56-6	Thiourea	0.1
1314-20-1	Thorium dioxide	1.0
7550-45-0	Titanium tetrachloride	1.0
108-88-3	Toluene	1.0
584-84-9	Toluene-2,4-diisocyanate	0.1
91-08-7	Toluene-2,6-diisocyanate	0.1
95-53-4	o-Toluidine	0.1
636-21-5	o-Toluidine hydrochloride	0.1
8001-35-2	Toxaphene	0.1

ALPHABETICAL LIST OF SECTION 313 CHEMICALS
(continued)

CAS Number	Chemical Name	De Minimis Concentration
68-76-8	Triaziquone [2,5-Cyclohexadiene-1,4-dione, 2,3,5-tris(1-aziridinyl)-]	0.1
52-68-6	Trichlorfon [Phosphonic acid, (2,2,2-trichloro-1-hydroxyethyl)-, dimethyl ester]	1.0
120-82-1	1,2,4-Trichlorobenzene	1.0
71-55-6	1,1,1-Trichloroethane (Methyl chloroform)	1.0
79-00-5	1,1,2-Trichloroethane	1.0
79-01-6	Trichloroethylene	1.0
95-95-4	2,4,5-Trichlorophenol	1.0
88-06-2	2,4,6-Trichlorophenol	0.1
1582-09-8	Trifluralin [Benzeneamine, 2,6-dinitro-N,N-dipropyl-4-(trifluoromethyl)-]	1.0
95-63-6	1,2,4-Trimethylbenzene	1.0
126-72-7	Tris(2,3-dibromopropyl) phosphate	0.1
51-79-6	Urethane (Ethyl carbamate)	0.1
7440-62-2	Vanadium (fume or dust)	1.0
108-05-4	Vinyl acetate	1.0
593-60-2	Vinyl bromide	0.1
75-01-4	Vinyl chloride	0.1
75-35-4	Vinylidene chloride	1.0
1330-20-7	Xylene (mixed isomers)	1.0
108-38-3	m-Xylene	1.0
95-47-6	o-Xylene	1.0
106-42-3	p-Xylene	1.0
87-62-7	2,6-Xylidine	1.0
7440-66-6	Zinc (fume or dust)	1.0
12122-67-7	Zineb [Carbamodithioic acid, 1,2-ethanediylbis-, zinc complex]	1.0

‡These chemicals are provided to give a complete list of Section 313 chemicals. Supplier notification is not required for these substances.

10

ALPHABETICAL LIST OF SECTION 313 CHEMICALS

Section 313 requires emissions reporting on the chemical categories listed below, in addition to the specific chemicals listed above.

The compounds listed below, unless otherwise specified, are defined as including any unique chemical substance that contains the named chemical (i.e., antimony, arsenic, etc.) as part of that chemical's structure.

Chemical categories are subject to the 1 percent de minimis concentration unless the substance involved meets the definition of an OSHA carcinogen.

Chemical Category

Antimony Compounds
Arsenic Compounds
Barium Compounds
Beryllium Compounds
Cadmium Compounds
Chlorophenols
Chromium Compounds
Cobalt Compounds
Copper Compounds
Cyanide Compounds - $X^+ CN^-$ where $X = H^+$ or any other group where a formal dissociation may occur. For example KCN or $Ca(CN)_2$
Glycol Ethers - includes mono- and di-ethers of ethylene glycol, diethylene glycol, and triethylene glycol. Polymers are excluded from the glycol ether category.
Lead Compounds
Manganese Compounds
Mercury Compounds
Nickel Compounds
Polybrominated Biphenyls (PBBs)
Selenium Compounds
Silver Compounds
Thallium Compounds
Zinc Compounds

STANDARD INDUSTRIAL CLASSIFICATION (SIC) GROUPS SUBJECT TO SECTION 313

SIC	INDUSTRY GROUP
20	Food
21	Tobacco
22	Textiles
23	Apparel
24	Lumber and Wood
25	Furniture
26	Paper
27	Printing and Publishing
28	Chemicals
29	Petroleum and Coal
30	Rubber and Plastics
31	Leather
32	Stone, Clay, and Glass
33	Primary Metals
34	Fabricated Metals
35	Machinery (excluding electrical)
36	Electrical and Electronic Equipment
37	Transportation Equipment
38	Instruments
39	Miscellaneous Manufacturing

SIC code information can be obtained from your financial office or contact your local Chamber of Commerce or State Department of Labor.

For more information on SIC codes, please consult "Standard Industrial Classification Manual 1987," available from:

National Technical Information Service
5285 Port Royal Road
Springfield, VA 22161
Phone: (703) 487-4650

Document Number: PB 87-100012
$30.00

SECTION 313 EPA REGIONAL CONTACTS

Region 1
Pesticides and Toxics Branch
USEPA Region 1 (APT2311)
JFK Federal Building
Boston, MA 02203
(617) 565-3273
Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, Vermont

Region 2
Pesticides and Toxics Branch
USEPA Region 2 (MS240)
Woodbridge Avenue, Building 209
Edison, NJ 08837
(201) 906-6890
New Jersey, New York, Puerto Rico, Virgin Islands

Region 3
Toxics and Pesticides Branch
USEPA Region 3 (3HW42)
841 Chestnut Street
Philadelphia, PA 19107
(215) 597-1260
Delaware, Maryland, Pennsylvania, Virginia, West Virginia, District of Columbia

Region 4
Pesticides and Toxic Substances Branch
USEPA Region 4
345 Courtland Street
Atlanta, GA 30365
(404) 347-5053
Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina,Tennessee

Region 5
Pesticides and Toxic Substances Branch
USEPA Region 5 (5SPT-7)
230 South Dearborn Street
Chicago, IL 60604
(312) 353-5867
Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin

SECTION 313 EPA REGIONAL CONTACTS

Region 6
Pesticides and Toxic Substances Branch
USEPA Region 6 (6TPT)
1445 Ross Avenue
Dallas, TX 75202-2733
(214) 655-7244
Arkansas, Louisiana, New Mexico, Oklahoma, Texas

Region 7
Office of Congressional and Intergovernmental Liaison
USEPA Region 7 (CIGL)
726 Minnesota Avenue
Kansas City, KS 66101
(913) 236-2806
Iowa, Kansas, Missouri, Nebraska

Region 8
Toxic Substances Branch
USEPA Region 8 (8AT-TS)
999 18th Street
Denver, CO 80202-2405
(303) 293-1730
Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming

Region 9
Pesticides and Toxics Branch
USEPA Region 9 (A-4-3)
211 Main Street
San Francisco, CA 94105
(415) 974-7280
Arizona, California, Hawaii, Nevada, American Samoa, Guam, Commonwealth of the Northern Mariana Islands

Region 10
Pesticides and Toxic Substances Branch
USEPA Region 10 (AT083)
1200 Sixth Avenue
Seattle, WA 98101
(206) 442-1091
Alaska, Idaho, Oregon, Washington

12

SAMPLE NOTIFICATION LETTER

Mr. Edward Burke
Furniture Company of Ruritania
1000 Main Street
Sellers, Ruritania

Dear Mr. Burke:

The purpose of this letter is to inform you that a product that we sell to you, Furniture Lacquer KXZ-1390, contains 20 percent toluene (Chemical Abstracts Service (CAS) number 108-88-3). We are required to notify you of the presence of toluene in the product under section 313 of the Emergency Planning and Community Right-To-Know Act of 1986. This law requires certain manufacturers to report on annual emissions of specified toxic chemicals and chemical categories.

If you are unsure if you must report or require more information, call the EPA Emergency Planning and Community Right-To-Know Hotline: (800) 535-0202 or (202)479-2449 (in Washington DC or Alaska). Your other suppliers should also be notifying you if section 313 chemicals are in the mixtures and trade name products they sell to you.

Please also note that if you repackage or otherwise redistribute this product to industrial customers, a notice similar to this one should be sent to those customers.

Sincerely,

Axel Leaf
Sales Manager
Furniture Products

SAMPLE NOTIFICATION ON AN MSDS

Section 313 Supplier Notification

This product contains the following toxic chemicals subject to the reporting requirements of section 313 of the Emergency Planning and Community Right-To-Know Act of 1986 and of 40 CFR 372:

CAS #	Chemical Name	Percent by Weight
108-88-3	Toluene	20%

This information must be included in all MSDSs that are copied and distributed for this material.

13.

AVAILABLE FROM EPA

Check the boxes below for any additional publications about section 313 that you wish to receive. Remove this page, put it in an envelope, and mail it to: Section 313, Document Distribution Center, P.O. Box 12505, Cincinnati, OH 45212. (Please correct your mailing label or enter your name and address below.)

- ☐ Toxic Chemical Release Inventory Reporting Package for 1988 (EPA 560/4-89-001) Includes the Form and Instructions document, Questions and Answers document, Magnetic Media Submission Guidance Package, Title III List of Lists (list of chemicals subject to reporting), and the Section 313 Final Rule.
- ☐ Common Synonyms for Section 313 Chemicals (OTS/ETD/001)

Name _____

Address _____

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